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8 Attorneys for plaintiffs, HALEY WRIGHT, JESSICA WRIGHT, and EMILY WRIGHT

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10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION – ECF PROGRAM

13 HALEY WRIGHT, EMILY WRIGHT, and
14 JESSICA WRIGHT,

15 Plaintiffs,

16 v.

17 CITY OF SANTA CRUZ, COUNTY OF
SANTA CRUZ; MARK YANEZ, TATE
18 HOWE, KENNY BESK, ANTHONY
PARKER. BRENDAN OMORI, JOHN
19 FERNANDEZ, DRUG ENFORCEMENT
ADMINISTRATION, JOSHUA
20 SINGLETON, TWENTY UNKNOWN
FEDERAL, CITY AND COUNTY
21 INDIVIDUALS and AGENCIES,,

22 Defendants.

CASE NO. 13-01230 LHK

**PLAINTIFFS' REQUEST FOR AN
ORDER DISMISSING DEFENDANT
TATE HOWE WITHOUT PREJUDICE
[PROPOSED] ORDER**

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25 Based upon the representation of defendant County of Santa Cruz that defendant Tate
26 Howe did not participate in any manner in the events as alleged in plaintiffs' first amended
27 complaint, plaintiffs hereby request an order dismissing defendant Tate Howe without prejudice
28 to refiling if facts are later determined that would give rise to his liability in some manner.

Kate Wells
and
Aaron
Lodge,
Attorneys
for plaintiff

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3 Dated: January 28, 2014

/s/ Kathleen E. Wells
KATHLEEN E. WELLS,
Attorney for Plaintiffs

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7 Dated: January 28, 2014

/s/ Aaron J. Lodge
AARON J. LODGE,
Attorney for Plaintiffs

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11 **[PROPOSED] ORDER**

12 GOOD CAUSE APPEARING THEREFOR

13 it is hereby ordered that defendant Tate Howe is dismissed from this action without
14 prejudice.

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17 Dated:

THE HONORABLE LUCY H. KOH
UNITED STATES DISTRICT COURT JUDGE

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27 Kate Wells
and
Aaron
Lodge,
Attorneys
for plaintiff